

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 28, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-34190 - APPLICANT/OWNER: CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. The limits of this Petition of Vacation shall be a 20-foot wide by 300-foot long public right-of-way (alley) generally located 139 feet northeast from the northeast corner of Washington Avenue and "D" Street.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**Public Works**

5. The limits of this Petition of Vacation shall be the entire width of the alley between "C" Street and "D" Street, and between Washington Avenue and Adams Avenue.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to Vacate a 20-foot wide by 300-foot long public right-of-way (alley) generally located 139 feet northeast of the northeast corner of Washington Avenue and "D" Street. The Vacation will clear up property rights for the Westside School, which was constructed in 1949 and is listed as a historic structure. The alley has been abandoned since the construction of the school and does not serve any public purpose for the neighborhood. The action will resolve property ownership and clear encumbrances of this historic site.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc and Property Sales</i></b>	
03/05/07	A Code Enforcement complaint (#50974) was processed for inadequate landscaping and building maintenance at 330 W. Washington Ave. The issue was closed by Code Enforcement on 03/23/07.
<b><i>Related Building Permits/Business Licenses</i></b>	
1949	The Clark County Assessor's office indicates a construction date of 1949.
06/12/03	A Business License (#N31-00136) was issued for non-profit community services at 330 W. Washington Avenue. The license was re-classified from (#N05-00604) on 08/12/06. The license remains active at this location.
02/16/05	A Building Permit (#5000864) was issued for a non-work certificate of occupancy at 330 W. Washington Avenue. The permit was finalized on 03/21/05.
09/24/08	The Historic Preservation Commission (HPC-30085) approved the selection of plaques for properties listed on the National Register of Historic Places within the City of Las Vegas.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for a Vacation application.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held, nor was one required.	
<b><i>Field Check</i></b>	
04/21/09	A field check was conducted by staff at the subject property. The site was noted as the Westside School.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.02 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Westside School	PF (Public Facilities)	C-V (Civic)
North	Daycare	PF (Public Facilities)	C-V (Civic)
South	Right-Of-Way (I-15)	Right-Of-Way (I-15)	Right-Of-Way (I-15)
East	Right-Of-Way (I-15)	Right-Of-Way (I-15)	Right-Of-Way (I-15)
West	Single-Family Residential and Apartments	H (High Density Residential)	R-4 (High Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (175-foot)	X		Y
H (Historic Designation)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## LEGAL DESCRIPTION

A request has been submitted by the City of Las Vegas to Vacate a 20-foot wide by 300-foot long public right-of-way (alley) generally located 139 feet northeast from the northeast corner of Washington Avenue and "D" Street.

The above property is legally described as:

A portion of the southeast quarter (SE ¼) of the northwest quarter (NW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M. City of Las Vegas, Clark County, Nevada.

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**ANALYSIS**

- **Planning Discussion**

This is a request to Vacate a 20-foot wide by 300-foot long public right-of-way (alley) generally located 139 feet northeast from the northeast corner of Washington Avenue and "D" Street. The Vacation of this alley way will resolve property ownership and clear encumbrances of this historic site. This Vacation will allow the Westside School to receive its historic designation by the City Council at a future date and staff recommends approval of this request.

- **Public Works Discussion**

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as it is eliminating the total width of an alley.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since no traffic travels through the alley.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes, as the alley has been abandoned for several years and a building currently exists over the alley.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Unknown at this time.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

14

**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      4

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**NOTICES MAILED** 1

**APPROVALS** 0

**PROTESTS** 0